

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

GARDENER McKAY WASHINGTON,)	
)	
Petitioner/Defendant,)	
)	CIVIL NO. 05-464-GPM
vs.)	
)	CRIMINAL NO. 01-40033-GPM
UNITED STATES OF AMERICA,)	
)	
Respondent/Plaintiff.)	

MEMORANDUM AND ORDER

MURPHY, Chief District Judge:

Before the Court is Petitioner's application for a certificate of appealability (Doc. 4) from the denial of Petitioner's motion under 28 U.S.C. § 2255. Pursuant to 28 U.S.C. § 2253, a certificate of appealability may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." Further, Section 2253(c)(3) provides: "The certificate of appealability under paragraph (1) shall indicate which specific issue or issues satisfy the showing required by paragraph (2)."

Petitioner only reiterates the issues raised in his motion as grounds for this Court to issue a certificate of appealability. The Court finds, however, that Petitioner has not made "a substantial showing of the denial of a constitutional right." Accordingly, the motion for a certificate of appealability is **DENIED**.

IT IS SO ORDERED.

DATED: 12/12/06

s/ G. Patrick Murphy
G. PATRICK MURPHY
Chief United States District Judge